

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 308

February 19, 1947.
Cities and Towns.

By PRANGE, VAN EATON, STEIN-
BERG and PUTNEY.

A BILL FOR

An Act relating to assessment for cost of sewers.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section three hundred ninety-one point
2 forty-two (391.42), Code 1946, is amended by striking
3 from lines nine (9) and ten (10) the following: "and
4 not in excess of three dollars per linear foot of sewer".

1 Sec. 2. Further amend said section by striking
2 from lines fourteen (14), fifteen (15), sixteen (16)
3 and seventeen (17) the following: "; but in estimating
4 the benefits to result therefrom to adjacent property,
5 each lot shall be considered as wholly unimproved".

EXPLANATION OF H. F. 308

Present law permits cities to build sanitary sewers but limits the amount they can assess to the property that the sewer is built to serve to \$3.00 per foot of sewer. This limitation makes it impossible for cities to build many of the sanitary sewers their citizens want and are willing to pay for.

Section 391.8, Code of 1946, protects property owners from excessive assessments by limiting the assessment to 25 per cent of the property value, and it also limits the assessment made to not more than the benefits received by the property served.

Another section of the 1946 Code, 391.42, requires that when estimating the benefits resulting from the construction of such sewer, each lot shall be considered as wholly unimproved. This means of course that in placing value on property to determine the limit of their assessment, the value of the buildings cannot be included, only the land value being used. Obviously, a sewer line is of more value to an improved property than to a vacant lot.

This limitation of \$3.00 per foot was established almost fifty years ago when prices were very much lower than they are today. The \$3.00 limit is also unnecessary because of other laws above referred to that afford the property owner ample protection against unjust assessments.